

EXHIBIT D

RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	POLICY NUMBER: 16.05-3 DOC	EFFECTIVE DATE: 03/06/17	PAGE 1 OF 9
	SUPERCEDES: 16.05-2 DOC	DIRECTOR: Please use BLUE ink. 	
SECTION: HEALTH CARE SERVICES		SUBJECT: MENU PLANNING	
AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the Director			
REFERENCES: NCCHC standards JF02, Diet; ACA Standards 4-4316, Dietary Allowances; 4-4317, Menu Planning; and 4-4318, Therapeutic Diets; National Research Council's Recommended Dietary Allowances and the Dietary Guidelines for Americans (U.S. Dept. of Agriculture, U.S. Dept. of Health and Human Services); National Academy of Science Food and Nutrition Board's Recommended Dietary Allowances; Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 U.S.C. §2000.			
INMATE / PUBLIC ACCESS?		X YES	
AVAILABLE IN SPANISH?		X NO	

I. PURPOSE:

To ensure Rhode Island Department of Corrections (RIDOC) facility menus are planned in advance, and that all aspects of food nutrition, presentation, service and seasonal adjustments, as well as a rotating cycle, are considered in the menu planning process.

To ensure diets that are supplied to all inmates incarcerated at the RIDOC are adequate and incorporate the principles expressed in the United States Department of Agriculture/Department of Health and Human Services' food guidelines. Facilities' diets shall meet the current recommended dietary allowances for specific age groups.

To outline the procedures for requesting and providing modified diets based on medical needs or religious beliefs.

16.05-3 DOC
Menu Planning

03/06/17
Page 2 of 9

II. POLICY:

RIDOC provides all incarcerated inmates in its custody with appropriate diets.

- A. If needed, modified diets based on medical/dental needs ("medical modified diet"), or religious beliefs ("religious modified diet") are prepared from specially developed menus and/or in accordance with approved diet manuals.
 - 1. Medical modified diets are served to inmates according to orders of the treating physician, physician's assistant, registered nurse practitioner (RNP) or dentist, and/or as directed by the Medical Program Director or his/her designee.
 - 2. Inmates may be provided with a religious modified diet as required by their religious beliefs, and that provides adequate nutrition. Inmates may request a religious modified diet via an Inmate Request Form. Approval for such diets are granted by the facility Warden/designee.
 - 3. Every effort will be made to combine modified religious diets and medical diets where the medical diet is ordered by medical staff.
- B. Modified diets are kept as simple as possible and conform as closely as possible to the food served to inmates not requiring modified diets.
- C. It is the responsibility of the Associate Director of Food Services to ensure menus:
 - 1. are planned in advance;
 - 2. are reviewed and approved in advance by a licensed Dietitian every quarter;
 - 3. are reviewed with the Administrator of Physical Resources or designee, relative to anticipated changes and associated timeframes;
 - 4. meet the National Academy of Science Food and Nutrition Board's Recommended Dietary Allowances (as determined by a licensed Dietitian);
 - 5. utilize tested recipes; and
 - 6. meet approved medical or religious modified diet requirements as necessary.

16.05-3 DOC
Menu Planning

03/06/17
Page 3 of 9

Written documentation of menu reviews includes the date, signature and title of the licensed Dietitian.

- D. The Associate Director of Food Services and Wardens of all facilities will ensure that:
1. three (3) meals per day (24-hour period) are served in a group setting, unless security and/or safety override;
 2. under no circumstance is food used as a disciplinary measure; and
 3. meals meet medical or religious modified diet requirements, as prescribed for the particular day in question.

III. PROCEDURES:

A. Menu Planning

1. Menu planning requires input from the Associate Director of Food Services, Dietitian, Supervisor of Food Services and Correctional Officer Stewards.
2. Aspects of the menu to be considered include:
 - a. nutritional value;
 - b. quality;
 - c. cost;
 - d. required equipment;
 - e. preparation time and methods;

NOTE: During the planning and preparation of all meals food flavor, texture, temperature, appearance and palatability should all be considered and in compliance with RI Department of Health rules and regulations.

- f. current inventory as it relates to scheduled changes in the menu.

16.05-3 DOC
Menu Planning

03/06/17
Page 4 of 9

-
- (1) The Administrator of Physical Resources or designee notifies the Associate Director of Food Services or designee at least twice a year of excess inventory items not being served on current or upcoming proposed menu cycles.
 - (2) Incorporate excess inventory into menu in accordance with the Dietitian's recommendations and with the approval of the Associate Director of Food Services. At no time will "leftovers" be considered excess inventory.
 3. Tested recipes should be utilized and adjusted for a yield appropriate for the facility's size.
 4. Emergency substitutions in meals actually served are reported to the Food Services Supervisor immediately. Long-term substitutions are made in consultation with, and approved by, the Dietitian, and equal nutritional value is maintained.
 - a. Any menu deviation must be approved by the Associate Director of Food Services or the Supervisor of Food Services prior to the meal(s) being prepared.
 - b. If the Associate Director of Food Services and the Supervisor of Food Services are unavailable and an emergency exists (e.g., power outage) where the menu item must be changed, the Correctional Officer Steward notifies the aforementioned parties and submits documentation of the incident to the aforementioned parties as soon after the meal as feasible.

In addition, the Correctional Officer Steward notifies the Shift Commander of the change prior to the meal.

B. Menu Cycle and Rotation

1. There is a twice-a-year menu cycle (spring/summer and fall/winter), which is adjusted to reflect seasonal food offerings.
2. The menu is rotated every five (5) weeks, and reviewed quarterly by the Dietitian to determine whether adjustments are necessary.

16.05-3 DOC
Menu Planning

03/06/17
Page 5 of 9

C. Meal Service

1. The ACI facilities utilize four (4) types of serving/dining procedures: cafeteria style, window service, a tray delivery system and bag lunches for inmates assigned to work crews and Correctional Industries jobs. The delivery system is selected dependent upon the level of security necessary within a particular facility.
2. At least three (3) meals per 24-hour period are served, with no more than 14 hours between the evening meal and breakfast.
3. Two (2) hot meals are served during each 24-hour period; however, adjustments based on seasonal or other factors may be appropriate, as determined by the Associate Director of Food Services.
4. All inmates, except those on modified diets, eat the same meals.
5. If an inmate deliberately damages or destroys a food tray, his/her meal is served in a bag. The Warden/designee may consult with the Associate Director of Food Services who can recommend alternative methods of meal service.

D. Diet Orders

1. Physicians, physicians' assistants, registered nurse practitioners (RNP) or dentists write modified diet orders and enter the orders into the inmate's Electronic Medical Record (EMR).
 - a. Medical diets (e.g., renal diets, diagnostic test orders) are provided on an individual basis. (Healthcare Services does not share diagnoses or lab results with custody staff. As long as there is a valid order, documentation is maintained in the EMR supporting the order.)

NOTE: Changes to medical diets can only be made by physicians, physicians' assistants, RNP or dentists.

- b. Texture-Altered diets must be ordered by a physician, physician's assistant, RNP or dentist. The order shall indicate either "liquid", "full" or "puree" for liquid and which textures should be allowed,

16.05-3 DOC
Menu Planning

03/06/17
Page 6 of 9

i.e., "soft", "ground" or exempted, i.e., "no raw fruit and vegetables".

- c. All orders shall include the length of time the diet is needed.
2. Kitchens serve diets as noted on the EMR generated list for each inmate on a modified diet. The EMR list reflects the most current modified diet order on record and that order is prepared for the inmate. No other diet is served until Kitchen Stewards receive new orders (written by physicians, physicians' assistants, RNPs or dentists) via the EMR list.
3. Inmates' requests to the kitchen for modified diets without written physicians', physicians' assistants', RNPs' or dentists' orders (the EMR list) are not considered valid diet requests and are not honored.
4. The Dietitian reviews diet orders every six (6) months and brings any matter needing attention to the physician, physician's assistant, RNP or dentist who wrote the order.
5. The Dietitian provides diet definitions for all modified diets, and data on the number of modified diets needed by all kitchens and Correctional Industries to kitchen staff.
6. The Dietitian updates appropriate EMR generated lists in the kitchen to include all new modified diet and diagnostic test diet orders. These updates include inmates' names, current diet orders and dates/duration of orders.
7. RIDOC's Associate Director of Food Services maintains copies of all regular and modified diet menus and recipes.

E. Food Allergies

1. True food allergies are rare.
2. RIDOC attempts to minimize allergic reactions; however, nuts and peanut butter are available to inmates through the commissary. Additionally, peanut butter may be on the menu.
3. In cases where food allergies are not life-threatening [i.e., are considered food intolerances (e.g., lactose intolerance) or "preferences"], inmates are instructed to eat around the food intolerances or disliked item(s).

16.05-3 DOC
Menu Planning

03/06/17
Page 7 of 9

-
- a. Sauces are kept separate to facilitate eating around food intolerances or disliked menu items (e.g., tomato sauce, cheese sauce, syrup); however, it is not always feasible to keep the sauce separate (as in American chop suey).
 - b. If an inmate believes these items appear so often on the menu [more than five (5) times per week] that it is not feasible to eat around them, s/he should submit a request slip or be seen at sick call for evaluation.
 4. The Medical Program Director must pre-authorize any allergy testing. After the inmate has been tested for food allergies, the physician, physician's assistant or RNP sends his/her final recommendation to the Medical Program Director.
 - a. If the physician, physician's assistant or RNP recommends a modified diet, and the Medical Program Director agrees with his/her recommendation, the Medical Program Director authorizes that the inmate is to be given an appropriate diet as determined by the Dietitian.
 - b. The physician, physician's assistant or RNP enters this order into the EMR.
 5. Rarely, for foods appearing often on the menu, the physician, physician's assistant or RNP may order an "allergy diet" [i.e., substitution for item(s) to which an inmate is allergic]. The physician, physician's assistant or RNP documents any special needs related to allergies in the inmate's EMR.

F. Evening Snacks

1. Inmates may receive evening snacks only if a physician, physician's assistant or RNP orders them. (Example: insulin dependent inmates have standing orders for evening milk and cereal). Health Care Services staff completes a Special Need template for the order in the inmate's EMR.
2. A notification from the EMR is sent to the Warden for acknowledgement and to the Dietitian who maintains a list of those inmates for whom evening snacks have been ordered.

16.05-3 DOC
Menu Planning

03/06/17
Page 8 of 9

G. Religious Modified Diets

1. The request for a religious modified diet is made by the inmate to the facility Warden/designee. (See Inmate Request Form).
2. If the request is approved, the Warden/designee shall place the inmate's name on the facility list for an approved religious modified diet.
3. An inmate who requests an accommodation in the form of a religious modified diet shall not be entitled to dictate the form in which the diet is provided if the diet requirements of the religious beliefs, including the diet requirements for religious holidays, and the nutritional standards of the inmate are met by the diet.
4. The Department or facility may choose whether to establish cooking and dining areas and equipment that enable the proper preparation and consumption of the religious modified diet at the facility, or to utilize food prepared outside of the facility in order to accommodate the request for the modified diet based on religious beliefs.
5. Inmates approved for a religious modified diet shall be provided the meal a minimum of three times weekly, contingent upon the cost of providing the modified diet. Financial reasonableness is at the sole and exclusive discretion of the Department.
6. Inmates who have been approved for religious modified diets, and who consume or possess food that is not consistent with the diet requested, or who are found giving away or trading food from the modified diet shall be subject to actions/sanctions to be determined by the facility Warden/designee.

H. Notification of Approval of Religious Modified Diets and Removal from the Modified Diet List

1. Inmates shall be notified by the Warden/designee of his/her approval of a religious modified diet and be required to sign the Modified Diet Based on Religious Beliefs Notification Form.
2. An inmate whose request for a religious modified diet has been approved shall not have the option of eating from the regular menu during the period the individual is placed on the modified diet list, unless and until

that inmate submits a request to the Warden/designee regarding a desire to terminate the religious modified diet.

3. Such inmates may be denied continued access to the religious modified diet, or be subject to other action/sanction, if s/he consistently consumes meals from the facility meal line, is found to have purchased or received unapproved food items, or has committed other acts that are inconsistent with an approved modified diet based on religious beliefs.
4. An inmate who has been removed from the modified diet list may only re-apply in writing to the Warden/designee, after sixty (60) days. Repeated violations, which consist of two (2) removals from the modified diet list in a twelve-month (12) period, will result in an inability to receive a religious modified diet.
5. An inmate who requests to be removed from a religious modified diet will be banned from requesting reinstatement to a religious modified diet for a period of ninety (90) days.

I. Juvenile Offenders

The Dietician shall ensure the appropriate nutritional needs of juvenile offenders are met while housed at an Adult Correctional Institutions' (ACI) facility.